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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,166	09/30/2003	John K. Walton	EMC2-122PUS	5917
45456	7590	04/25/2006	EXAMINER	
RICHARD M. SHARKANSKY PO BOX 557 MASHPEE, MA 02649			SORRELL, ERON J	
			ART UNIT	PAPER NUMBER
			2182	

DATE MAILED: 04/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/675,166

Applicant(s)

WALTON ET AL.

Examiner

Eron J. Sorrell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 5 recites the limitation "the queue entry" in line 19 of the claim. There is insufficient antecedent basis for this limitation in the claim.

4. Referring also to claim 5, the limitation "wherein the *location for the table* is a function that takes *some part of the receiving information* in the queue entry and derives the *location into the table* therefrom (emphasis added)" is unclear to the Examiner. It is unclear if "the location" is referring to the location of the table itself in memory or an index into the table for referencing information therein. It is also unclear what is meant by the phrase "some part of the receiving

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information." The claim does not seem to suggest that information is actually being received. There is a limitation that recites "an input/output interface for receiving information (see lines 4)," but that is merely functional language.

5. In the interest of compact prosecution the claim will be interpreted as best understood by the Examiner for the purpose of applying a prior art rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs et al. (US Pub. No. 2004/0100980 hereinafter Jacobs) in view of Gregg et al. (U.S. Pub. No. 2003/0061475).

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8. Referring to claim 5, Jacobs teaches, a queuing system comprising:

a plurality of interconnected directors (see line cards 1-N in figure 1), each one of the directors having:

an input/output interface section (see items 610 and 620 in figure 6) for receiving information from a source thereof and for returning information to interface to such source (see lines 3-6 of paragraph 38);

a microprocessor for processing information sent thereto from a remote one of the directors, each one of the microprocessors having a CPU (forwarding engine 630 in figure 6) and a CPU memory (queues 650 and 670 in figure 6), such memory storing a queue for inbound information (queues 650) passed to such director for processing therein such information being sent to the remote director from an originating one of the directors (see lines 13-18 of paragraph 38);

wherein each of the input/output sections includes queues for outbound information (queue 670 in figure 6) being returned to the source through such originating one of the directors after being processed by the microprocessor of such remote one of the directors (see lines 11-13 of paragraph 38);

wherein each one of the directors includes a translation table, such table storing at a location thereof corresponding to

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each one of the remote directors a producer index for the queue of such remote director and a consumer index for such one of the remote directors (see head and tail pointers in paragraph 30).

Jacobs fails to teach the location for the table is a function that takes some part of the receiving information in the queue entry and derives the location into the table therefrom.

Gregg teaches, in an analogous system, the location for the table is a function that takes some part of the receiving information in the queue entry and derives the location into the table therefrom (see paragraph 57 of page 4).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Jacobs with the above teachings of Gregg. One of ordinary skill in the art would have been motivated to make such modification in order to efficiently pass messages from one system to another as suggested by Gregg (see paragraph 57).

Response to Arguments

9. Applicant's argument with respect to claim 5 has been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eron J. Sorrell whose telephone number is 571 272-4160. The examiner can normally be reached on Monday-Friday 8:00AM - 4:30PM.

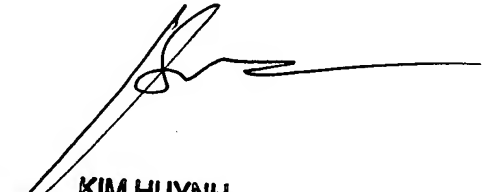
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be

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reached on 571-272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EJS
April 20, 2006


KIM HUYNH
SUPERVISORY PATENT EXAMINER
4/21/06